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Aug. 8, 2014 8:57AM VG ADMINISTRATION

No. 2003 P. 2

FILED
OREGON JUDICIAL DEPARTMENT
WASHINGTON COUNTY

2014 JUL 10 AM 11:27

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF WASHINGTON**C144010 CV**

Aimee J Wright

Plaintiff

V.

Michael J Schiferl MD

&

Tuality Community Hospital

Defendants

Case No.

COMPLAINT FOR MEDICAL

MALPRACTICE, PERSONAL INJURY

AND PUNITIVE DAMAGES

ORS 21.160(1)(d)

Jury Trial Requested

Claim not Subject To Mandatory
Arbitration

Plaintiff Alleges:

1.

At all material times plaintiff was and is a resident of Washington County, Oregon.

2.

At all material times defendant Michael J Schiferl was a physician practicing medicine in
Washington County, Oregon.

3.

At all material times defendant Tuality Community Hospital was available to the public
in Washington County, Oregon.

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4.

On July 11th 2012 the Plaintiff entered the facility of Tuality Community Hospital for the purpose of delivery of her unborn child. The delivery of her child was progressing normally until she got to 9 centimeters dilated, at that time her labor stalled and the nurses nor the doctor could find the unborn child's heartbeat for around 5 ½ hours, the doctor let this life threatening condition continue because he said he refused to do a C-section or break her water because she was still early, although her due date was the next day, July 12th, 2012. Dr. Schiferl finally broke her water and the plaintiff dilated to 10 centimeters right away and delivered her daughter. The unborn child arrived with the umbilical cord wrapped around her neck twice and was blue, the defendant then proceeded to snap the umbilical cord resulting in a 4th degree laceration and hemorrhaging, of the plaintiff. Sylvana E. Bennett MD was called in to help repair the laceration, after the hospital staff harassed the Plaintiff for hours threatening to call CPS because her oldest daughter was there, even though plaintiff was told by Hospital Staff it was ok for siblings to be there, and was supervised by the Plaintiff's sister. After hours of this harassment, the defendants allowed the Plaintiff's sister and daughter to stay. The staff of Tuality Community Hospital released the Plaintiff and her newborn infant the very next day, stating it was because the Plaintiff's older daughter was there the full time, even though the Plaintiff's older daughter caused no problems for the hospital, staff or the Plaintiff.

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1 5.

2 On or around August 03, 2012 the Plaintiff had to go see Sylvana E Bennett MD for a
3 follow up, at which time the Plaintiff was informed that the 4th degree laceration did not heal
4 right and she would need surgery again to repair the laceration, rebuild the pelvic floor and
5 repair the rectal area.

6 6.

7 On or around October 29th 2012 the Plaintiff had surgery performed by Susan Hobson at
8 St. Vincent Hospital, to rebuild the pelvic floor, anal fistula, the 4th degree laceration and
9 sphincter. The Plaintiff was sent home for a recovery process on or around October 31st, 2012.

10 7.

11 On or around January 22nd, 2013 the Plaintiff has yet another surgery performed by
12 Joseph Frankhouse MD at Good Samaritan Hospital to again repair unhealed problems from the
13 4th degree laceration and was sent home for a recovery process of January 22nd, 2013.

14 8.

15 Plaintiff has also had multiple pre-op and post-op visits to all mentioned doctors and hospitals.

16 9.

17 Defendants were negligent in failing to provide the standard level of care expected of
18 the professionals in the practice area, and that negligence was the legal cause of injuries to the
19 Plaintiff as alleged below.

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1 10.

2 As a direct result of the defendant's negligence, the Plaintiff incurred significant
3 personal injuries including but not limited to being able to control bowel movements, urination
4 problems, intimacy problems, daily pain and infections, emotional distress and inconvenience,
5 and limiting her normal and usual activities, all to the plaintiffs non-economic damages in the
6 sum of \$1 million.

7 11.

8 As a direct result of the defendant's negligence, the plaintiff has incurred and will incur
9 the following economic damages:

10 (a) Reasonable and necessary medical expenses in the approximate amount of \$250,000

11 (b) Future medical expenses to be determined at trial.

12 1) Non-economic damages in the amount of \$1 million

13 2) Economic damages in the approximate amount of \$250,000

14 3) Future medical expenses

15 4) Plaintiffs costs and disbursements incurred herein;

16 5) Such other relief as the court deems just.

17 DATED THIS 10th DAY OF JULY 2014

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By: Almee J. Wright

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